

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 3, between lines 20 and 21, begin a new paragraph and insert:
- 2 **"Sec. 9. (a) As used in this section, "actual representation**
- 3 **expenses" refers only to those actual expenses incurred by a labor**
- 4 **organization in processing a grievance of an employee.**
- 5 **(b) As used in this section, "nonmember employee" refers to an**
- 6 **employee who is:**
- 7 **(1) a member of the bargaining unit of the employer with**
- 8 **which a labor organization has a contract; and**
- 9 **(2) not a member of the labor organization.**
- 10 **(c) Subject to subsection (d), a labor organization may collect**
- 11 **actual representation expenses from a nonmember employee.**
- 12 **(d) A labor organization may collect actual representation**
- 13 **expenses from a nonmember employee only if the nonmember**
- 14 **employee has specifically requested in writing to be represented by**
- 15 **the labor organization in processing the grievance. However, such**
- 16 **a request does not require the nonmember employee to pay any**
- 17 **expenses incurred by the labor organization in the course of**
- 18 **general contract negotiations or collective bargaining.**
- 19 **(e) An assessment and collection of actual representation**
- 20 **expenses under this section is not considered a violation of section**
- 21 **8 of this chapter.**
- 22 **(f) This section is not intended to interfere with rights**
- 23 **guaranteed employees generally under the federal Labor**
- 24 **Management Reporting and Disclosure Act of 1959 (29 U.S.C. 401**
- 25 **et seq.)."**
- 26 Page 3, line 21, delete "9." and insert "**10.**".
- 27 Page 3, line 26, delete "10." and insert "**11.**".
- 28 Page 3, line 29, delete "11." and insert "**12.**".
- 29 Page 3, line 42, delete "12" and insert "**13**".
- 30 Page 4, line 4, delete "12." and insert "**13.**".

- 1 Page 4, line 23, delete "8 through 12" and insert "**8 through 13**".
(Reference is to EHB 1001 as printed January 30, 2012.)

Senator TALLIAN